



The Commonwealth of Massachusetts Motor Vehicle Insurance - Merit Rating Board

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MARY ANN MULHALL
DIRECTOR

TO: Massachusetts Merit Rating Liaisons

FROM: Mary Ann Mulhall, Director

DATE: December 16, 2010

RE: Clarification – Division of Insurance Bulletin 2010-11

NOTICE NO: 0032

Please be advised that when the Massachusetts Board of Appeal (BOA) reverses an insurer's at-fault determination it is NOT necessary for insurers to report the reversal to the Merit Rating Board (MRB) as indicated in the Division of Insurance (DOI) Bulletin 2010-11 dated November 16, 2010. For administrative ease and for many years the BOA has notified the MRB directly when an at-fault determination has been vacated. This BOA vacate notice triggers the removal of the insurer's at-fault determination on the MRB's database. This administrative procedure is not changing.

Insurers who choose to submit a Reverse Incident Transaction to the MRB after the BOA vacates an at-fault determination should use Reversal Reason Code = *"02 -The involved operator who was charged for an at-fault accident is determined to have been 50% or less at-fault"*.

As directed in Bulletin 2010-11 an insurer must:

1. Adjust any premiums associated with the at-fault determination; and
2. Report the reversal to any data collection agency (other than the Merit Rating Board) to which the insurer reported the at-fault determination.

This memorandum may be downloaded from the MRB website, www.state.ma.us/mrb. Please notify the appropriate personnel within your company.